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EXAMINER

BELL, MELTIN

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2129

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,616

Applicant(s)

PEYRELEVADE, JEROME

Examiner

Meltin Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 13 and 17-86 is/are rejected.
- 7) ☒ Claim(s) 7-12 and 14-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to application **10/024,616** filed **12/21/01** as well as the Specification Changes, Drawing Corrections and Amendment filed 12/6/04. Claims 1-86 filed by the applicant have been entered and examined. An action on the merits of claims 1-86 appears below.

Priority

Applicant's claim for domestic priority against application number 60/325,559 filed 10/01/2001 under 35 U.S.C. 119(e) is acknowledged.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 70 stands rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims (e.g. "beauty product", "simulation", "query") raise a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. For example, if claim 70 was amended to recite a computer-implemented method and required

performance of a result outside of a computer, it will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.

Claim Rejections - 35 USC § 103

To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Applicant's arguments have been fully considered, but are moot in view of new grounds of rejection. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 36-41 are rejected under 35 U.S.C. 102(e) as being unpatentable over *Dooley* U.S. Patent Application Publication Number (USPAPN) 2002/0035611 (Filed December 28, 2000; 60/176,024 Filed January 14, 2000) in view of *Saita et al* United States Patent Number (USPN) 6,719,565 (PCT Filed Oct. 26, 2000).

Regarding claim 1:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")
- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")
- providing the identified beauty advice to the user (Figs. 1, 3)

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However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice while *Saita et al* teaches, - the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair color (*Saita et al*, Fig. 8, item S804). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al* for the purpose of creating a simulated image of the subject.

Regarding claim 2:

The rejection of claim 2 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the references. Claim 2's limitations difference is taught in *Dooley*:

- the user-specific information includes personal information of at least one of skin type, skin tone, hair style, hair color, cosmetic color and product preferences, allergy information, demographic information, climate information, lifestyle information, fashion preferences, prior purchases, prior expressed interest, and prior browsing patterns (page 6, [0057], "In one embodiment ... the information network")

Regarding claim 3:

The rejection of claim 3 is similar to that for claims 1 and 2 as recited above since the stated limitations of the claim are set forth in the references. Claim 2's limitations difference is taught in *Dooley*:

- the user-specific information includes an identification of at least one user-specified product (page 4, [0038], "In one embodiment ... products or services"; page 5, [0055], "The websites of ... a product in question")

Regarding claims 4:

The rejection of claim 4 is the same as that for claim 1 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claims 5:

The rejection of claim 5 is the same as that for claim 1 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claims 6:

The rejection of claim 6 is the same as that for claim 1 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 36:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 6, [0057], "In one embodiment ... the

information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")

- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")

- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice while *Saita et al* teaches,

- the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Motivation – The portions of the claimed system would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair color (*Saita et al*, Fig. 8, item S804). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al* for the purpose of creating a simulated image of the subject.

Regarding claim 37:

The rejection of claim 37 is similar to that for claim 36 as recited above since the stated limitations of the claim are set forth in the references. Claim 37's limitations difference is taught in *Dooley*:

- the user-specific information includes personal information of at least one of skin type, skin tone, hair style, hair color, cosmetic color and product preferences, allergy information, demographic information, climate information, lifestyle information, fashion preferences, prior purchases, prior expressed interest, and prior browsing patterns (page 6, [0057], "In one embodiment ... the information network")

Regarding claim 38:

The rejection of claim 38 is similar to that for claims 36 and 37 as recited above since the stated limitations of the claim are set forth in the references. Claim 37's limitations difference is taught in *Dooley*:

- the user-specific information includes an identification of at least one user-specified product (page 4, [0038], "In one embodiment ... products or services"; page 5, [0055], "The websites of ... a product in question")

Regarding claim 39:

The rejection of claim 39 is similar to that for claim 36 as recited above since the stated limitations of the claim are set forth in the references. Claim 39's limitations difference is taught in *Dooley*:

- the artificial intelligence engine is based on at least one of a neural network, constraint program, fuzzy logic, classification, conventional artificial intelligence, symbolic

manipulation, fuzzy set theory, evolutionary computation, cybernetics, data mining, approximate reasoning, derivative-free optimization, and soft computing (Fig. 1; page 2, [0023], "The environment in ... with Internet access"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network")

Regarding claims 40:

The rejection of claim 40 is the same as that for claim 36 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claims 41:

The rejection of claim 41 is the same as that for claim 36 as recited above since the stated limitations of the claims are set forth in the references.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lambertsen* U.S. Patent Application Publication Number 2002/0024528 (Dated February 28, 2002; Filed August 27, 2001 ; 60/229,410 Filed August 31, 2000) in view of *Coleman* USPAPN 2003/0061202 (Filed December 15, 2000; CIP 09/615,177 Filed July 13, 2000; 60/209,228 Filed June 2, 2000) and in further view of *Linden et al* USPAPN 2002/0019763 (Filed Mar. 29, 2001).

Regarding claim 21:

Lambertsen teaches,

- maintaining information characterizing a plurality of beauty products (Figs. 1-3, 5; Abstract, "A virtual makeover ... the various features")

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- maintaining information about suitability of use of at least some of the plurality of beauty products with other of the plurality of beauty products (page 1, [0008], "The system of ... by the system")
- receiving from a user a selection of at least two of the plurality of beauty products (page 1, [0004], "Beauty product vendors ... an Internet connection")
- processing information characterizing the at least two selected beauty products and suitability of use information to thereby identify the at least one additional products, complementary to a combination of the at least two selected products (page 1, [0005], "Users can also ... by the user")
- notifying the user of the at least one additional product (page 2, [0013-0015], "In a further ... in the palette")

However, *Lambertsen* does not teach processing, using the artificial intelligence engine, information characterizing the at least two selected beauty products and suitability of use information to thereby identify at least one additional product, complementary to a combination of the at least two selected products while *Coleman* teaches,

- processing, using the artificial intelligence engine, information characterizing products and suitability of use information to thereby identify the at least one additional products, complementary to a combination of selected products (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 6, [0052], "Other features may ... for the price 610")

Linden et al teaches,

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- processing information characterizing products and suitability of use information to thereby identify the at least one additional products, complementary to a combination of selected products (page 2, [0015], "In one embodiment ... bought in combination")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process") and incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Lambertsen* as taught by *Coleman* and *Linden et al* for the purpose of providing valuable guidance to the user and determining product relatedness.

Regarding claim 22:

The rejection of claim 22 is the same as that for claim 21 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 23:

The rejection of claim 23 is the same as that for claim 21 as recited above since the stated limitations of the claims are set forth in the references.

Claims 24-27, 56-59 and 61-69 are rejected under 35 U.S.C. 102(e) as being unpatentable over *Coleman* in view of *Linden et al*.

Regarding claim 24:

Coleman teaches,

- receiving from a user a selection of at least one user-specified product (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- accessing through an artificial intelligence search engine characterizations of a plurality of products (page 1, [0010], "In one embodiment ... Interactive Product Selector")
- accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products (page 1, [0011], "In an embodiment ... radio buttons or check-boxes")
- identifying, by the artificial intelligence engine (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610"), at least one recommended product (page 6, [0057], "For example, an ... and not limitation")
- notifying the user of the at least one recommended product (Fig. 8)

However, *Coleman* doesn't explicitly teach the at least one recommended product is complementary to the at least one user-specified product and using at least the information about product relationships while *Linden et al* teaches,

- identifying, at least one recommended product (Abstract, "Various methods are ... current browsing session") complementary to the at least one user-specified product using at least the information about product relationships (page 2, [0015], "In one embodiment ... bought in combination")

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Motivation - The portions of the claimed method would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Linden et al* for the purpose of determining product relatedness.

Regarding claim 25:

The rejection of claim 25 is similar to that for claim 24 as recited above since the stated limitations of the claim are set forth in the references. Claim 25's limitations difference is taught in *Coleman*:

- receiving the user selection occurs via a network in at least one location remote from the user, and wherein notifying occurs via the network (Fig. 1)

Regarding claim 26:

The rejection of claim 26 is similar to that for claim 24 as recited above since the stated limitations of the claim are set forth in the references. Claim 26's limitations difference is taught in *Coleman*:

- both the at least one user-specified product and the at least one recommended complementary product are cosmetic products (page 5, [0041], "A category entitled ... the named sub-categories")

Regarding claim 27:

The rejection of claim 27 is similar to that for claim 24 as recited above since the stated limitations of the claim are set forth in the references. Claim 27's limitations difference is taught in *Coleman*:

- only one of the user-specified product and the at least one recommended complementary product is a cosmetic product (page 5, [0041], "A category entitled ... the named sub-categories")

Regarding claim 56:

Coleman teaches,

- an interface for receiving from a user a selection of at least one of a plurality of products (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- at least one location for storing information characterizing the plurality of products (page 2, [0028], "An exemplary server ... Web presentation server")
- at least one location for storing information about suitability of using at least one of the plurality of products with at least one other of the plurality of products (page 3, [0028], "Such server may ... the above-described servers 104")
- at least one location for storing personal information about a user (Fig. 2; page 2, [0025], "An exemplary client ... navigating the Internet 110"; page 5, [0042], "The page 300 may ... to the invention")
- an artificial intelligence engine configured to process information reflective of the at least one user-selected product, at least some of the characterizing information, at least some of the suitability information, and at least some of the personal information, and to

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identify therefrom at least one product (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610")

However, Coleman doesn't explicitly teach the at least one product is complementary to the at least one user-selected product while *Linden et al* teaches,

- the at least one product is complementary to the at least one user-selected product (page 2, [0015], "In one embodiment ... bought in combination")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Linden et al* for the purpose of determining product relatedness.

Regarding claim 57:

The rejection of claim 57 is the same as that for claim 56 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 58:

The rejection of claim 58 is similar to that for claim 56 as recited above since the stated limitations of the claim are set forth in the references. Claim 58's limitation difference is taught in *Coleman*:

- the interface is configured to receive from the user a selection of at least two products, and wherein the artificial intelligence engine is configured to identify at least one product complementary to the at least two selected products (Figs. 5-7)

Regarding claim 59:

The rejection of claim 59 is similar to that for claim 56 as recited above since the stated limitations of the claim are set forth in the references. Claim 59's limitation difference is taught in *Coleman*:

- the information about suitability of using is based on a survey of consumers (page 6, [0052], "Other features may ... for the price 610"; page 7, [0059], "It is anticipated ... or sub-mitted option selections")

Regarding claims 61:

The rejection of claim 61 is the same as that for claim 56 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 62:

The rejection of claim 62 is similar to that for claim 56 as recited above since the stated limitations of the claim are set forth in the references. Claim 62's limitations difference is taught in *Coleman*:

- the at least one product selected by the user has an associated aesthetic characteristic, and wherein the artificial intelligence engine is configured to identify at least one product with an aesthetic characteristic complementary to the aesthetic characteristic of the at least one selected product (page 5, [0041], "A category entitled ... the named sub-categories")

Regarding claims 63:

The rejection of claim 63 is the same as that for claims 56 and 62 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 64:

The rejection of claim 64 is the same as that for claims 56 and 62 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 65:

The rejection of claim 65 is the same as that for claims 56 and 62 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 66:

The rejection of claim 66 is the same as that for claims 56 and 62 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 67:

The rejection of claim 67 is the same as that for claims 56 and 62 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 68:

The rejection of claim 68 is the same as that for claims 56 and 62 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 69:

Coleman teaches,

- receiving subject-specific information (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 4, [0040], "FIG.3 shows a home ... use to a customer/consumer"; page 5, [0044], "FIG. 4 shows a product ... for the product")
- using the subject-specific information to identify a first product (page 4, [0041], "Each shopping category .. For example, the"; page 5, [0041], "shopping category 308 entitled

... of the named sub-categories”; page 5, [0050], “In addition, the ... or objective features”)

- accessing through an artificial intelligence search engine characterizations of a plurality of products (page 1, [0010], “In one embodiment ... Interactive Product Selector”; page 6, [0056], “Using fuzzy logic ... user’s selection experience”)

- accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products (page 1, [0011], “In an embodiment ... radio buttons or check-boxes”)

- identifying, by the artificial intelligence engine, a second recommended product (page 6, [0057], “For example, an ... and not limitation”) complementary to the first product based on at least the information about relationships (Abstract, “Methods and systems ... fuzzy membership grade”; page 6, [0052], “Other features may ... for the price 610”)

- notifying the user of the second recommended product (Fig. 8)

However, *Coleman* doesn’t explicitly teach the second recommended product is complementary to the first product based on at least the information about relationships while *Linden et al* teaches,

- the second recommended product is complementary to the first product based on at least the information about relationships (page 2, [0015], “In one embodiment ... bought in combination”)

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], “Another

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limitation is ... product viewing histories"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Linden et al* for the purpose of determining product relatedness.

Claims 28-35, 70-79 and 81-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Coleman* in view of *Linden et al* and in further view of *Lambertsen*.

Regarding claim 28:

Coleman teaches,

- receiving from a user a selection of at least one user-specified product (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- accessing through an artificial intelligence search engine characterizations of a plurality of products (page 1, [0010], "In one embodiment ... Interactive Product Selector")
- accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products (page 1, [0011], "In an embodiment ... radio buttons or check-boxes")
- identifying, by the artificial intelligence engine (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610"), at least one recommended product (page 6, [0057], "For example, an ... and not limitation")
- notifying the user of the at least one recommended product (Fig. 8)

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However, Coleman doesn't explicitly teach the at least one recommended product is complementary to the at least one user-specified product and using at least the information about product relationships or the at least one user-specified product is a cosmetic product and the at least one recommended complementary product is at least one of an apparel product and an accessory product while *Linden et al* teaches,

- identifying, at least one recommended product (Abstract, "Various methods are ... current browsing session") complementary to the at least one user-specified product using at least the information about product relationships (page 2, [0015], "In one embodiment ... bought in combination")

Lambertsen teaches,

- the at least one user-specified product is a cosmetic product and the at least one recommended complementary product is at least one of an apparel product and an accessory product (page 1, [0005], "Users can also ... by the user")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories") and accentuating a user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Linden et al* and *Lambertsen* for the purpose of determining product relatedness and accentuating a user's natural features.

Regarding claims 29:

The rejection of claim 29 is the same as that for claims 24 and 28 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 30:

The rejection of claim 30 is the same as that for claims 24 and 28 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 31:

The rejection of claim 31 is similar to that for claims 24 and 28 as recited above since the stated limitations of the claim are set forth in the references. Claim 31's limitations difference is taught in *Coleman*:

- the information about relationships is obtained by surveying at least one of consumer preferences and consumer habits (page 7, [0059], "It is anticipated ... sub-mitted option selections")

Regarding claims 32:

The rejection of claim 32 is the same as that for claims 24 and 31 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claims 33:

The rejection of claim 33 is the same as that for claims 24 and 31 as recited above since the stated limitations of the claim are set forth in the references.

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Regarding claim 34:

The rejection of claim 34 is similar to that for claims 24 and 31 as recited above since the stated limitations of the claim are set forth in the references. Claim 34's limitations difference is taught in *Coleman*:

- the at least one user-specified product has an associated aesthetic characteristic, and wherein the artificial intelligence engine is configured to identify at least one product with an aesthetic characteristic complementary to the aesthetic characteristic of the user-specified product (page 5, [0041], "A category entitled ... the named sub-categories"; page 6, [0052], "Other features may ... for the price 610")

Regarding claim 35:

The rejection of claim 35 is the same as that for claim 34 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 70:

Coleman teaches,

- causing at least one query to be presented to a subject (Abstract, "Methods and systems ... fuzzy membership grade"; Figs. 4-5, 7)
- selecting a first beauty product based on the subject's response to the query (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 5, [0041-0042], "A category entitled ... to the invention")
- enabling the subject to indicate whether the first beauty product is acceptable wherein when the first product is indicated as being acceptable, the method further comprises

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(page 5, [0041], "A category entitled ... of the named sub-categories"; page 6, [0052], "Other features may ... for the price 610")

- selecting at least one second beauty product (page 6, [0052], "Other features may ... for the price 610")

However, *Coleman* doesn't explicitly teach the at least one second beauty product is complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product or enabling displays of a simulation of beauty products applied on a facial image while *Linden et al* teaches, - the at least one second beauty product is complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product (page 2, [0015], "In one embodiment ... bought in combination") *Lambertsen* teaches,

- enabling a display of a simulation of the first beauty product applied on a facial image (page 1, [0003-0005], "Through the use ... by the user")

- enabling a display of a simulation of the first and second beauty products applied on the facial image (page 1, [0008], "The system of ... by the system")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories") and accentuating a user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to

modify *Coleman* as taught by *Linden et al* and *Lambertsen* for the purpose of determining product relatedness and accentuating a user's natural features.

Regarding claim 71:

The rejection of claim 71 is similar to that for claim 70 as recited above since the claim limitations are set forth in the references. Claim 71's limitations difference is taught in *Coleman*:

- the first beauty product is chosen from a category of beauty products pre-selected by the subject (page 4, [0040], "FIG. 3 shows a home ... use to a customer/consumer")

Regarding claim 72:

The rejection of claim 72 is the same as that for claim 71 as recited above since the claim limitations are set forth in the references.

Regarding claim 73:

The rejection of claim 73 is the same as that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 74:

The rejection of claim 74 is similar to that for claim 70 as recited above since the claim limitations are set forth in the references. Claim 74's limitations difference is taught in *Lambertsen*:

- when the first product is indicated as being unacceptable, the method further comprises selecting an alternative first beauty product and enabling a display of a simulation of the alternative first beauty product applied on the facial image (Fig. 7; page 1, [0005], "Users can also ... by the user")

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Regarding claim 75:

The rejection of claim 75 is the same as that for claim 74 as recited above since the claim limitations are set forth in the references.

Regarding claim 76:

The rejection of claim 76 is the same as that for claim 74 as recited above since the claim limitations are set forth in the references.

Regarding claim 77:

The rejection of claim 77 is the same as that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 78:

The rejection of claim 78 are the same as that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 79:

The rejection of claim 79 are the same as that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 81:

The rejection of claim 81 are similar to that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 82:

The rejection of claim 82 are similar to that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 83:

The rejection of claim 83 are similar to that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 84:

The rejection of claim 84 are similar to that for claim 70 as recited above since the claim limitations are set forth in the references.

Regarding claim 85:

The rejection of claim 85 is similar to that for claim 70 as recited above since the claim limitations are set forth in the references. Claim 85's limitations difference is taught in *Coleman*:

- selecting the second beauty product further comprises identifying the second beauty product using an artificial intelligence engine (page 1, [0010], "In one embodiment ... Interactive Product Selector")

Regarding claim 86:

The rejection of claim 86 is the same as that for claim 85 as recited above since the claim limitations are set forth in the references.

Claims 13, 42-44 and 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Saita et al* and in further view of *Coleman*.

Regarding claim 13:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")
- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")
- providing the identified beauty advice to the user (Figs. 1, 3)

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However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice or the data reflecting relationships is obtained by surveying at least one of consumer preferences and consumer habits while *Saita et al* teaches,

- the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Coleman teaches,

- the data reflecting relationships is derived by surveying at least one of consumer preferences and consumer habits (page 7, [0059], "It is anticipated ... or sub-mitted option selections")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair color (*Saita et al*, Fig. 8, item S804) and providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al* and *Coleman* for the purpose of creating a simulated image of the subject and providing valuable guidance.

Regarding claim 42:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned

website"; Fig. 3; page 6, [0057], "In one embodiment ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")

- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], "In one embodiment ... the information network")
- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice or the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product while *Saita et al* teaches,

- the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Coleman teaches,

- the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the

artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product (page 6, [0052], "Other features may ... for the price 610")

Motivation – The portions of the claimed system would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair color (*Saita et al*, Fig. 8, item S804) and providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al* and *Coleman* for the purpose of creating a simulated image of the subject and providing valuable guidance.

Regarding claim 43:

The rejection of claim 43 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 44:

The rejection of claim 44 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 47:

The rejection of claim 47 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 48:

The rejection of claim 48 is similar to that for claims 36 and 42 as recited above since the stated limitations of the claim are set forth in the references. Claim 37's limitations difference is taught in *Coleman*:

- the information reflecting relationships is derived by surveying at least one of consumer preferences and consumer habits (page 7, [0059], "It is anticipated ... or submitted option selections")

Regarding claim 49:

The rejection of claim 49 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 50:

The rejection of claim 50 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 51:

The rejection of claim 51 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Saita et al* in view of *Coleman* and in further view of *Lambertsen*.

Regarding claim 45:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 6, [0057], "In one embodiment ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], "In one embodiment ... the information network")
- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice, the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product or at least one of an apparel product and an accessory product while *Saita et al* teaches,

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- the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Coleman teaches,

- the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product (page 6, [0052], "Other features may ... for the price 610")

Lambertsen teaches,

- the at least one user-specified product is a cosmetic product and the at least one identified complementary product is at least one of an apparel product and an accessory product (page 1, [0005], "Users can also ... by the user")

Motivation – The portions of the claimed system would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair color (*Saita et al*, Fig. 8, item S804), providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process") and accentuating a user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al*, *Coleman* and

Lambertsen for the purpose of creating a simulated image of the subject, providing valuable guidance and accentuating a user's natural features.

Regarding claim 46:

The rejection of claim 46 is the same as that for claim 45 as recited above since the stated limitations of the claims are set forth in the references.

Claims 17-19 and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Saita et al* and in further view of *Lambertsen*.

Regarding claim 17:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")

- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")
- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")
- providing the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice or the suitability of combining beauty products while *Saita et al* teaches,

- the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Lambertsen teaches,

- the accessed data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products (Figs. 1-3, 5; page 1, [0008], "The system of ... by the system")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair

color (*Saita et al*, Fig. 8, item S804) and accentuating a user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al* and *Lambertsen* for the purpose of creating a simulated image of the subject and accentuating a user's natural features.

Regarding claim 18:

The rejection of claim 18 is the same as that for claim 17 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 19:

The rejection of claim 19 is the same as that for claim 17 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 52:

The rejection of claim 52 is similar to that for claims 36 and 17 as recited above since the stated limitations of the claim are set forth in the references. Claim 52's limitations difference is taught in *Lambertsen*:

- the data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products (page 1, [0008], "The system of ... and/or by the system")

Regarding claims 53:

The rejection of claim 53 is the same as that for claim 52 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claims 54:

The rejection of claim 54 is the same as that for claim 52 as recited above since the stated limitations of the claims are set forth in the references.

Claims 20 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Saita et al* in view of *Lambertsen* and in further view of *Coleman*.

Regarding claim 20:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")

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- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")

- providing the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the information reflecting relationships derived from at least one of consumer preferences and expert advice or the suitability of combining complementary beauty products while *Saita et al* teaches,

- the information reflecting relationships derived from at least one of consumer preferences (column 4, lines 54-67, "In the step ... the personal computer 1") and expert advice (column 3, lines 1-17, "In the hair ... methods described above")

Lambertsen teaches,

- the accessed data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products (Figs. 1-3, 5; page 1, [0008], "The system of ... by the system")

Coleman teaches,

- receiving user-specific information includes receiving from the user a selection of a combination of at least two of the plurality of beauty products, wherein suitability of combining information is maintained on less than a universe of all combination of the plurality of beauty products, and wherein when an individual selects a combination of

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beauty products for which suitability of combining information is not directly maintained, the artificial intelligence engine, during identifying, identifies a product likely to be complementary to the user-selected combination (page 5, [0041], "A category entitled ... the named sub-categories"; page 6, [0052], "Other features may ... for the price 610"; page 6, [0056], "Using fuzzy logic ... user's selection experience"; page 7, [0059], "It is anticipated ... or sub-mitted option selections")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for creating a simulated image of the subject having a second hair color (*Saita et al*, Fig. 8, item S804), accentuating a user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face") and providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Saita et al*, *Lambertsen* and *Coleman* for the purpose of creating a simulated image of the subject, accentuating a user's natural features and providing valuable guidance to the user.

Regarding claim 55:

The rejection of claim 55 is similar to that for claims 36 and 20 as recited above since the stated limitations of the claim are set forth in the references. Claim 55's limitations difference is taught in *Lambertsen*:

- the user-specific information includes a user selection of a combination of at least two of the plurality of beauty products, wherein information about relationships is information on less than a universe of all combinations of the plurality of beauty products, and

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wherein an individual selects a combination of beauty products for which suitability of combining information is directly not maintained (page 1, [0005], "Users can also ... by the user"; page 1, [0008], "The system of ... user and/or by the system")

Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Coleman* in view of *Linden et al* and in further view of *Dooley*.

Regarding claim 60:

Coleman teaches,

- an interface for receiving from a user a selection of at least one of a plurality of products (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- at least one location for storing information characterizing the plurality of products (page 2, [0028], "An exemplary server ... Web presentation server")
- at least one location for storing information about suitability of using at least one of the plurality of products with at least one other of the plurality of products (page 3, [0028], "Such server may ... the above-described servers 104")
- at least one location for storing personal information about a user (Fig. 2; page 2, [0025], "An exemplary client ... navigating the Internet 110"; page 5, [0042], "The page 300 may ... to the invention")
- an artificial intelligence engine configured to process information reflective of the at least one user-selected product, at least some of the characterizing information, at least some of the suitability information, and at least some of the personal information, and to

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identify therefrom at least one product (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610")

However, *Coleman* doesn't explicitly teach the at least one product is complementary to the at least one user-selected product or the information about suitability of using based on expert advice while *Linden et al* teaches,

- the at least one product is complementary to the at least one user-selected product (page 2, [0015], "In one embodiment ... bought in combination")

Dooley teaches,

- the information about suitability of using based on expert advice (page 3, [0032], "The domain names ... beauty-consultants.net, esthetician-s.org, webdermatologists.com"; page 7, [0068-0069], "According to one ... is not required"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightner sunscreens e-deodorant")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories") and increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Linden et al* for the purpose of determining product relatedness and increasing traffic.

Claim 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Coleman* in view of *Linden et al* in view of *Lambertsen* in view of *Horikita* European Patent Application Publication Number 0 226 959 A2 (Published July 1, 1987) and in further view of *Marapane et al* U.S. Patent Number 6,707,929 (Dated March 16, 2004; Filed April 27, 2001).

Regarding claim 80:

Coleman teaches,

- causing at least one query to be presented to a subject (Abstract, "Methods and systems ... fuzzy membership grade"; Figs. 4-5, 7)
- selecting a first beauty product based on the subject's response to the query (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 5, [0041-0042], "A category entitled ... to the invention")
- enabling the subject to indicate whether the first beauty product is acceptable wherein when the first product is indicated as being acceptable, the method further comprises (page 5, [0041], "A category entitled ... of the named sub-categories"; page 6, [0052], "Other features may ... for the price 610")
- selecting at least one second beauty product (page 6, [0052], "Other features may ... for the price 610")

However, *Coleman* doesn't explicitly teach the at least one second beauty product is complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product, enabling displays of a

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simulation of beauty products applied on a facial image or the simulation of the first beauty product applied on the facial image is displayed adjacent a display of the simulation of the first and second beauty products applied on the facial image while *Linden et al* teaches,

- the at least one second beauty product is complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product (page 2, [0015], "In one embodiment ... bought in combination")

Lambertsen teaches,

- enabling a display of a simulation of the first beauty product applied on a facial image (page 1, [0003-0005], "Through the use ... by the user")
- enabling a display of a simulation of the first and second beauty products applied on the facial image (page 1, [0008], "The system of ... by the system")

Horikita teaches,

- the simulation of the facial image is displayed adjacent a display of the simulation of the first and second beauty products applied on the facial image (Fig. 2; page 4, lines 55-57, "The windows include ... or after working")

Marapane et al teaches,

- the simulation of the first beauty product applied on the image is displayed adjacent a display of the simulation of the first and second beauty products applied on the image (Fig. 9; column 1, lines 55-62, "the invention is ... family color selection")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for incorporating user-specific product viewing histories into the

process of determining product relatedness (*Linden et al*, page 9, [0114-115], "Another limitation is ... product viewing histories"), accentuating a user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face"), improved operability and processing (*Horikita*, page 2, lines 30-38, "It is another ... the processing speed") and accounting for lighting differences (*Marapane et al*, column 1, lines 62-67, "This method may ... image is viewed"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Linden et al*, *Lambertsen*, *Horikita* and *Marapane et al* for the purpose of determining product relatedness, accentuating a user's natural features, improved processing and accounting for lighting differences.

RESPONSE TO APPLICANTS' AMENDMENT REMARKS

Applicants decline to automatically subscribe to any statement or characterization of the related art and claims in the prior Office Action in regards to the objections to the drawings, specification and claims as well as the rejection of claims 1-86 (Amendment REMARKS page 28, paragraph 2 and page 29, paragraph 1).

Applicant's arguments have been fully considered, but are moot in view of the above new ground(s) of rejection (*Saita et al* USPN 6,719,565 and *Linden et al* USPAPN 2002/0019763) necessitated by the new issue(s) raised in the amendments to the claims as well as disagreements over the interpretation of claims terminology as defined in the specification and prior art:

- data structure (Specification, page 10, [040], “A data structure may include a read-only memory (ROM) device, random access memory (RAM) device, tape, disk drive, optical storage device, magnetic storage device, redundant array of inexpensive disks (RAID), organic storage media, computer code, constructs derived from computer code, and/or any other mechanism capable of containing information” versus Dooley, Fig. 3, domain names mined from a database representing categories)
- artificial intelligence (Specification, pages 10-11, [042], “Artificial intelligence is used herein to broadly describe any computationally intelligent systems that combine knowledge, techniques, and methodologies. An AI engine may be any system configured to apply knowledge and that can adapt itself and learn to do better in changing environments. Thus, the AI engine may employ any one or combination of the following computational techniques: neural network, constraint program, fuzzy logic, classification, conventional artificial intelligence, symbolic manipulation, fuzzy set theory, evolutionary computation, cybernetics, data mining, approximate reasoning, derivative-free optimization, decision trees, and/or soft computing. Employing any computationally intelligent techniques, the AI engine may learn to adapt to unknown and/or changing environment for better performance” versus *Dooley*, page 6, [0057], “In one embodiment, participants who visit the website(s) may be required to register prior to accessing some content in order for the network to obtain some identifying, or registration information (e.g., a user name, an e-mail address, a mailing address, a URL, a

password, IP address, etc.) and/or demographic information (e.g., sex, age, geographic region, purchasing preferences, etc.). This information may be provided to help guide a user's journey within the information network. In another embodiment, artificial intelligence software code may be used to further customize and/or personalize a user's session, and assist with the user's most likely questions and "surfing" routes within the information network")

- accessing relationships data (Specification, pages 9 and 10, [038-039], "The user-specific information may be organized into categories, such as personal information, identifications of user-specified products, etc. Personal information may include demographics, skin and body conditions (e.g. skin type, skin texture, skin tone, wrinkles, hair color, hair style, hair condition, eye color, etc.), age, facial features, purchase history, cosmetic color, allergy information, climate information, lifestyle information, product preferences, fashion preferences, prior purchases, prior expressed interest, and/or prior browsing patterns. It should be noted that the term "user-specific information" is not necessarily related to any particular user. In this regard, the present document uses the term subject-specific information interchangeably with the term user-specific information and neither term is necessarily tied to a particular individual engaging in a particular activity. Consistent with the invention, a method may also include accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice, as illustrated at step 102 in FIG. 1. Data reflecting relationships may be directly from, derived from, and/or

surveyed from consumer preferences and/or expert advice. The data may include information characterizing a plurality of products, information regarding the physical, ethical, physiological, biological, and aesthetic properties of the products, and/or information about suitability of combining some of the products. Ethical properties may include information indicating whether the products are tested on animals, kosher, made in the United States of America, made at a certain area location, biodegradable, made with unionized labor, contributing donations to Green Peace, contributing donations to non-profit organizations, etc. Suitability information may be maintained on less than a universe of all combinations of products. An artificial intelligence may be used to identify combinations of products not directly maintained. Information characterizing the products may include cosmetic color, inter-cosmetic compatibility, and other characteristics")

- information about relationships between products (*Linden et al*, Abstract, "Various methods are disclosed for monitoring user browsing activities that indicate user interests in particular products or other items, and for using such information to identify items that are related to one another. In one embodiment, relationships between products within an online catalog are determined by identifying products that are frequently viewed by users within the same browsing session (e.g., products A and B are related because a significant portion of those who viewed A also viewed B). The resulting item relatedness data is preferably stored in a table that maps items to sets of related items. The table may be used

to provide personalized product recommendations to users, and/or to supplement product detail pages with lists of related products. In one embodiment, the table is used to provide session-specific product recommendations to users that are based on the products viewed by the user during the current browsing session") for examples.

Drawings, Specification, Claims and Information Disclosure Statement (IDS)

Objections

Applicants argue that the Fig. 9, 16 and 22 replacement drawings overcome the drawings objections without adding new matter (Amendment REMARKS page 29, section I, paragraph 2), the specification corrections to page 18, paragraph 65, pages 39-40, paragraph 130, page 45, paragraph 141, page 50, paragraph 150 and pages 53-54, paragraph 158 overcome the specification objections (Amendment REMARKS page 30, paragraph 1 through page 31, paragraph 3) and the amendments to claims 22-23, 25-35, 37-55, 57-68 and 71-86 overcome the objections to the claims (Amendment REMARKS page 31, section III). The amendments to the drawings, specification and claims have been entered, examined and are approved. The objections to the drawings in the prior office action are withdrawn.

However, it is noted that claims 7-12 and 14-16 were not amended. Consequently, the earlier objection of these claims for being multiply dependent under 37 CFR 1.75(c) is maintained. Also, claim 60 is objected to for a minor informality: 'using based' would read well as 'using is based'. Appropriate correction is required.

The *Hawkins et al* WO 02/37421 4/24/03 IDS reference has been located and WO 98/20458 has been placed in the file. The earlier objection to the 4/23/03 IDS is withdrawn.

Claim Rejections - 35 USC § 112, second paragraph

Applicants affirm their entitlement to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law regarding the 35 USC 112, 2nd paragraph rejection of claims 55 and 71, argue that claims 55 and 71 are fully compliant with 35 USC 112, 2nd paragraph and that the amendment to claim 67 overcomes the rejection under 35 USC 112, 2nd paragraph (Amendment REMARKS page 32, paragraph 1 through page 33, paragraph 3). Applicant's arguments have been fully considered and are persuasive. The 35 USC 112, 2nd paragraph rejection of claims 55, 67 and 71 are withdrawn.

Claim Rejections - 35 USC § 102(e) and 35 USC § 103(a)

Applicant argues that *Dooley* USPAPN 20020035611 does not disclose elements of claims 1-6 and 36-41 rejected under 35 USC 102(e): accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice and identifying, for examples (Amendment REMARKS page 34, section V through page 37, paragraph 2).

The examiner agrees that *Dooley* and *Saita et al* meet each and every limitation of the applicant's invention in claims 1-6 and 36-41. As an example, the Abstract, Fig.

3, page 3, [0031-0032], page 4, [0036], page 4, [0039], page 5, [0056], page 6, [0056], page 7, [0070], and page 8, [0070] of *Dooley* as well as column 3, lines 1-17 and column 4, lines 54-67 of *Saita et al* are cited for meeting the accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice limitation of claim 1. Furthermore, the purposes and motivations for modifying *Dooley* as taught by *Saita et al* include creating a simulated image of the subject (*Saita et al*, Fig. 8, item S804).

Applicant argues that *Coleman* USAPN 20030061202 does not disclose elements of claims 24-27, 56-59 and 61-69 rejected under 35 USC 102(e): information about relationships between at least some of...[a] plurality of products, accessing information about relationships between products through an artificial intelligence search engine, identifying, using the artificial intelligence engine, at least one recommended product complementary to the at least one user-specified product using at least the information about product relationships, information about suitability of using at least one of the plurality of products with at least one other of the plurality of products, at least one location for storing such information, and an artificial intelligence engine configured to process information reflective of ... at least some of the suitability of information... and to identify therefrom at least one product complementary to the at least one user-selected product of (Amendment REMARKS page 37, section VI through page 41, paragraph 2).

The examiner agrees that *Coleman* and *Linden et al* meet each and every limitation of applicant's invention in claims 24-27, 56-59 and 61-69. As an example, the Abstract, page 6, [0052] and page 6, [0057] of *Coleman* as well as the Abstract and page 2, [0015] of *Linden et al* are cited for meeting the identifying, by the artificial intelligence engine, at least one recommended product complementary to the at least one user-specified product using at least the information about product relationships limitation of claim 24. Furthermore, the purposes and motivations for modifying *Coleman* as taught by *Linden et al* include determining product relatedness (*Linden et al*, page 9, [0114-115]).

Applicant argues that *Lambertsen* USAPN 20020024528 and *Coleman* do not teach or suggest elements of claims 21-23 rejected under 35 USC 103(a): maintaining information about suitability of use of at least some of the plurality of beauty products with other of the plurality of beauty products and processing, for examples (Amendment REMARKS page 41, section VII through page 43, paragraph 2). Applicant also argues that the requisite motivation to modify *Lambertsen* in view of *Coleman* is lacking (Amendment REMARKS page 43, paragraph 3 through page 44, paragraph 2).

The examiner agrees that *Lambertsen*, *Coleman* and *Linden et al* meet each and every limitation of the applicant's invention in claims 21-23. As an example, page 1, [0005] of *Lambertsen* as well as Fig. 8; page 1, [0009] and page 6, [0052] of *Coleman* and page 2, [0015] of *Linden et al* are cited for meeting the processing, using the artificial intelligence engine, information characterizing the at least two selected beauty products and suitability of use information to thereby identify at least one additional

product, complementary to a combination of the at least two selected products limitation of claim 21. Furthermore, the purposes and motivations for modifying *Lambertsen* as taught by other references include providing valuable guidance to the user (*Coleman*, page 1, [0008]) and determining product relatedness (*Linden et al*, page 9, [0114-115]).

Applicant argues that *Coleman* and *Lambertsen* do not teach or suggest elements of claims 28-35, 70-79 and 81-86 rejected under 35 USC 103(a): accessing information about relationships between at least some of a plurality of products, identifying at least one recommended product complementary to at least one user-specified product using at least the information about product relationships and accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products, wherein the information about relationships is obtained by surveying at least one of consumer preferences and consumer habits, for examples (Amendment REMARKS page 44, section VIII through page 46, paragraph 1). Applicant also argues that the requisite motivation to modify *Coleman* in view of *Lambertsen* is lacking for not disclosing selecting at least one second beauty product complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product (Amendment REMARKS page 46, paragraph 2 through page 48, paragraph 1).

The examiner agrees that *Coleman*, *Linden et al* and *Lambertsen* meet each and every limitation of the applicant's invention in claims 28-35, 70-79 and 81-86. As an example, the Abstract, page 6, [0052] and page 6, [0057] of *Coleman* as well as the Abstract and page 2, [0015] of *Linden et al* and page 1, [0005] of *Lambertsen* are cited

for meeting the identifying, by the artificial intelligence engine, at least one recommended product complementary to the at least one user-specified product using at least the information about products relationships, wherein the at least one user-specified product is a cosmetic product and the at least one recommended complementary product is at least one of an apparel product and an accessory product limitation of claim 28. Furthermore, the purposes and motivations for modifying *Coleman* as taught by other references include determining product relatedness (*Linden et al*, page 9, [0114-115]) and accentuating a user's natural features (*Lambertsen*, page 4, [0045]).

Applicant argues that *Dooley* and *Coleman* do not teach or suggest elements of claims 13, 42-44 and 47-51 rejected under 35 USC 103(a): accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice, identifying, the information reflecting relationships is derived from at least one of consumer preferences and expert advice by surveying at least one of consumer preferences and consumer habits and artificial intelligence engine, for examples (Amendment REMARKS page 48, section IX through page 51, paragraph 2). Applicant also argues that the requisite motivation to modify *Dooley* in view of *Coleman* is lacking (Amendment REMARKS page 49, paragraph 4 and page 51, paragraph 3).

The examiner agrees that *Dooley*, *Saita et al* and *Coleman* meet each and every limitation of the applicant's invention in claims 13, 42-44 and 47-51. As an example, the Abstract, Fig. 3, page 3, [0031-0032], page 4, [0036], page 4, [0039], page 5, [0056],

page 6, [0056], page 7, [0070] and page 8, [0070] of *Dooley* as well as column 4, lines 54-67 and column 3, lines 1-17 of *Saita et al* and page 7, [0059] of *Coleman* are cited for meeting the accessing a data structure containing information reflecting relationships between categories of user specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice, wherein the information reflecting relationships is derived by surveying at least one of consumer preferences and consumer habits limitation of claim 13. Furthermore, the purposes and motivations for modifying *Dooley* as taught by other references include creating a simulated image of the subject (*Saita et al*, Fig. 8, item S804) and providing valuable guidance (*Coleman*, page 1, [0008]).

Applicant argues that *Dooley*, *Coleman* and *Lambertsen* do not teach or suggest elements of claims 45-46 rejected under 35 USC 103(a): a data structure containing information reflecting relationships between categories of user-specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice, for example (Amendment REMARKS page 52, section X, paragraphs 1-3). Applicant also argues that the requisite motivation to modify *Dooley* in view of *Coleman* and *Lambertsen* is lacking (Amendment REMARKS page 52, paragraph 4 and page 53, paragraph 1).

The examiner agrees that *Dooley*, *Saita et al*, *Coleman* and *Lambertsen* meet each and every limitation of the applicant's invention in claims 45-46. As an example, the Abstract, Fig. 3, page 3, [0031-0032], page 4, [0036], page 4, [0039], page 5, [0056], page 6, [0056], page 7, [0070] and page 8, [0070] of *Dooley* as well as column

4, lines 54-67 and column 3, lines 1-17 of *Saita et al*, page 6, [0052] of *Coleman* and page 1, [0005] of *Lambertsen* are cited for meeting the data structure containing information reflecting relationships between categories of user specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice, wherein the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product, wherein the at least one user-specified product is a cosmetic product and the at least one identified complementary product is at least one of an apparel product and an accessory product limitation of claim 45. Furthermore, the purposes and motivations for modifying *Dooley* as taught by other references include creating a simulated image of the subject (*Saita et al*, Fig. 8, item S804), providing valuable guidance (*Coleman*, page 1, [0008]) and accentuating a user's natural features (*Lambertsen*, page 4, [0045]).

Applicant argues that *Dooley* and *Lambertsen* do not teach or suggest elements of claims 17-19 and 52-54 rejected under 35 USC 103(a): accessing a data structure that includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products, identifying, information characterizing a plurality of beauty products includes information about inter-product compatibility and artificial

intelligence engine, for examples (Amendment REMARKS page 53, section XI, through page 55, paragraph 4). Applicant also argues that the requisite motivation to modify *Dooley* in view of *Lambertsen* is lacking (Amendment REMARKS page 54, paragraph 3, page 55, paragraph 5 and page 56, paragraph 1).

The examiner agrees that *Dooley*, *Saita et al* and *Lambertsen* meet each and every limitation of the applicant's invention in claims 17-19 and 52-54. As an example, the Abstract, Fig. 3, page 3, [0031-0032], page 4, [0036], page 4, [0039], page 5, [0056], page 6, [0056], page 7, [0070] and page 8, [0070] of *Dooley* as well as column 4, lines 54-67 and column 3, lines 1-17 of *Saita et al* and Figs. 1-3, 5 and page 1, [0008] of *Lambertsen* are cited for meeting the accessing a data structure containing information reflecting relationships between categories of user specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice, wherein the accessed data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products limitation of claim 17. Furthermore, the purposes and motivations for modifying *Dooley* as taught by other references include creating a simulated image of the subject (*Saita et al*, Fig. 8, item S804) and accentuating a user's natural features (*Lambertsen*, page 4, [0045]).

Applicant argues that *Dooley*, *Lambertsen* and *Coleman* do not teach or suggest elements of claims 20 and 55 rejected under 35 USC 103(a): the accessed data structure includes information characterizing a plurality of beauty products and

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information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products, identifying and artificial intelligence engine, for examples (Amendment REMARKS page 56, section XII, through page 58, paragraph 2). Applicant also argues that the requisite motivation to modify *Dooley* in view of *Lambertsen* and *Coleman* is lacking (Amendment REMARKS page 54, paragraph 3, page 57, paragraph 2 and page 58, paragraph 2).

The examiner agrees that *Dooley*, *Saita et al*, *Lambertsen* and *Coleman* meet each and every limitation of the applicant's invention in claims 20 and 55. As an example, the Abstract, Fig. 3, page 3, [0031-0032], page 4, [0036], page 4, [0039], page 5, [0056], page 6, [0056], page 7, [0070] and page 8, [0070] of *Dooley* as well as column 4, lines 54-67 and column 3, lines 1-17 of *Saita et al*, Figs. 1-3, 5, page 1, [0008] of *Lambertsen* and page 5, [0041], page 6, [0052], page 6, [0056] and page 7, [0059], of *Coleman* are cited for meeting the accessing a data structure containing information reflecting relationships between categories of user specific information and beauty advice, the information reflecting relationships derived from at least one of consumer preferences and expert advice, wherein the accessed data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products, wherein receiving user-specific information includes receiving from the user a selection of a combination of at least two of the plurality of beauty products, wherein suitability of combining information is maintained on less than a universe of all combination of the plurality of beauty products, and wherein when an individual selects

a combination of beauty products for which suitability of combining information is not directly maintained, the artificial intelligence engine, during identifying, identifies a product likely to be complementary to the user-selected combination limitation of claim 20. Furthermore, the purposes and motivations for modifying *Dooley* as taught by other references include creating a simulated image of the subject (*Saita et al*, Fig. 8, item S804), accentuating a user's natural features (*Lambertsen*, page 4, [0045]) and providing valuable guidance (*Coleman*, page 1, [0008]).

Applicant argues that *Coleman* and *Dooley* do not teach or suggest elements of claim 60 rejected under 35 USC 103(a): location for storing information about suitability and artificial intelligence engine, for examples (Amendment REMARKS page 58, section XIII, through page 59, paragraph 2). Applicant also argues that the requisite motivation to modify *Coleman* in view of *Dooley* is lacking (Amendment REMARKS page 59, last paragraph).

The examiner agrees that *Coleman*, *Linden et al* and *Dooley* meet each and every limitation of the applicant's invention in claim 60. As an example, the Abstract and page 6, [0052] of *Coleman* as well as page 2, [0015] of *Linden et al* and page 3, [0032], page 7, [0068-0069], page 7, [0070] and page 8, [0070] of *Dooley* are cited for meeting the an artificial intelligence engine configured to process information reflective of the at least one user-selected product, at least some of the characterizing information, at least some of the suitability information, and at least some of the personal information, and to identify therefrom at least one product complementary to the at least one user-selected product, wherein the information about suitability of using

is based on expert advice limitation of claim 60. Furthermore, the purposes and motivations for modifying *Coleman* as taught by other references include determining product relatedness (*Linden et al*, page 9, [0114-115]) and increasing traffic (*Dooley*, page 1, [0010]).

Applicant argues that *Coleman*, *Lambertsen*, *Horikita* European Patent Application Publication Number (EPAPN) 226959 and *Marapane et al* USPN 6,707,929 do not teach or suggest elements of claim 80 rejected under 35 USC 103(a): selecting at least one second beauty product complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product, for example (Amendment REMARKS page 60, section XIV, through page 61, paragraph 1). Applicant also argues that the requisite motivation to modify *Coleman* in view of *Lambertsen*, *Horikita* and *Marapane et al* is lacking (Amendment REMARKS page 61, last paragraph and page 62, paragraph 1).

The examiner agrees that *Coleman*, *Linden et al*, *Lambertsen*, *Horikita* and *Marapane et al* meet each and every limitation of the applicant's invention in claim 80. As an example, page 6, [0052] of *Coleman* as well as page 2, [0015] of *Linden et al*, page 1, [0008] of *Lambertsen*, Fig. 2 and page 4, lines 55-57 of *Horikita* and Fig. 9 and column 1, lines 55-62 of *Marapane et al* are cited for meeting the selecting at least one second beauty product complementary to the first beauty product based on information reflecting a relationship between the first beauty product and the second beauty product, wherein the simulation of the first beauty product applied on the facial image is displayed adjacent a display of the simulation of the first and second beauty products

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applied on the facial image limitation of claim 80. Furthermore, the purposes and motivations for modifying *Coleman* as taught by other references include determining product relatedness (*Linden et al*, page 9, [0114-115]), accentuating a user's natural features (*Lambertsen*, page 4, [0045]), improved processing (*Horikita*, page 2, lines 30-38) and accounting for lighting differences (*Marapane et al*, column 1, lines 62-67).

As set forth above with regards to *Dooley*, *Saita et al*, *Coleman*, *Linden et al*, *Lambertsen*, *Horikita* and *Marapane et al* the items listed explicitly and inherently teach each element of the applicants' claimed limitations. Applicants have not set forth any distinction or offered any dispute between the claims of the subject application, *Dooley's* System and method for providing an information network on the internet, *Saita et al's* Hair color advice system, *Coleman's* Interactive product selector with fuzzy logic engine, *Linden et al's* Use of product viewing histories of users to identify related products, *Lambertsen's* Virtual makeover system and method, *Horikita's* Make-up simulator and *Marapane et al's* Method for analyzing hair and predicting achievable hair dyeing ending colors.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- *Dyson*; US 4,232,334; Cosmetic apparatus and method
- *Bourdier et al*; US 4,842,523; Makeup method and device


Any inquiry concerning this communication or earlier communications from the Office should be directed to Melvin Bell whose telephone number is 571-272-3680. This Examiner can normally be reached on Mon - Fri 7:30 am - 4:00 pm.

If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anthony Knight, can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MB / *MB*,
March 21, 2005


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